

**SUPREME COURT MINUTES
THURSDAY, MAY 31, 2012
SAN FRANCISCO, CALIFORNIA**

S076999**PEOPLE v. SOUZA
(MATTHEW ARIC)**

Opinion filed: Judgment affirmed as modified

For the foregoing reasons, the \$10,000 restitution fine is stricken and the amounts awarded to the victim/witness compensation program are stricken. The restitution orders are modified to award Alice Arnold \$3,440.67 in victim restitution and to award the victim/witness compensation program \$8,678.73 in victim restitution. As so modified, the judgment is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment to reflect the modification of victim restitution as described above. The clerk of the superior court also is directed to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Kennard, Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S173973 D052091 Fourth Appellate District, Div. 1**PEOPLE v. MENA (JOAQUIN)**

Opinion filed: Judgment affirmed in full

The Court of Appeal erred in holding that defendant forfeited his right to appeal the denial of his lineup motion by failing to pursue writ relief. However, it correctly concluded that the trial court's error, if any, was harmless. For this reason, we affirm the judgment.

Majority Opinion by Corrigan, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, and Liu, JJ.

S190646 B222025 Second Appellate District, Div. 6**SHARP (CALVIN LEONARD)
v. S.C. (PEOPLE)**

Opinion filed: Judgment affirmed in full

The judgment of the Court of Appeal is affirmed. Our stays of the order compelling examination and the sanity trial, issued on May 5, 2011, are dissolved.

Majority Opinion by Werdegar, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Baxter, Chin, Corrigan, and Liu, JJ.

S202629 A135409 First Appellate District, Div. 3**HERSHIPS (HOWARD) v. S.C.
(BHAS)**

Petition for review & application for stay denied

S020646 B238181 Second Appellate District, Div. 7**UNITED STATES FIRE
INSURANCE COMPANY v.
WORKERS'
COMPENSATION APPEALS
BOARD & PALAFOX (ROSA)**

Petition for review & application for stay denied

S077524**PEOPLE v. SALAZAR
(MAGDALENO)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Ryan M. Smith's representation that he anticipates filing the respondent's brief by July 24, 2012, counsel's request for an extension of time in which to file that brief is granted to July 24, 2012. After that date, no further extension will be granted.

S087533**PEOPLE v. POPS (ASWAD) &
WILSON (BYRON)**

Extension of time denied

Appellant Byron Wilson's "Request for Extension of Time to File Appellant's Opening Brief," filed on May 24, 2012, is denied.

S092240**PEOPLE v. BOYCE (KEVIN
DEWAYN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Douglas Ward's representation that he anticipates filing the appellant's reply brief by December 1, 2012, counsel's request for an extension of time in which to file that brief is granted to July 31, 2012. After that date, only two further extensions totaling about 120 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S099549**PEOPLE v. LOPEZ
(MICHAEL AUGUSTINE)**

Extension of time granted

Good cause appearing, and based upon Supervising Senior Deputy State Public Defender Evan Young's representation that she anticipates filing the appellant's reply brief by October 2012, counsel's request for an extension of time in which to file that brief is granted to July 24, 2012. After that date, only three further extensions totaling about 100 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the

anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S118629

**PEOPLE v. WILLIAMS, JR.,
(ROBERT LEE)**

Extension of time granted

Good cause appearing, and based upon counsel H. Mitchell Caldwell's representation that he anticipates filing the appellant's reply brief by August 2012, counsel's request for an extension of time in which to file that brief is granted to July 17, 2012. After that date, only one further extension totaling about 30 additional days is contemplated.

S128402

**PEOPLE v. DONALDSON
(JASARI LATIFUL)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Harry Gruber's representation that he anticipates filing the appellant's opening brief by July 31, 2012, counsel's request for an extension of time in which to file that brief is granted to July 31, 2012. After that date, no further extension will be granted.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S196958

**HOWARD (DEMETRIUS
CHARLES) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Christine Levingston Bergman's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by February 1, 2013, counsel's request for an extension of time in which to file that document is granted to July 30, 2012. After that date, only three further extensions totaling about 185 additional days are contemplated.

S200366

**BROWN (STEVEN ALLEN)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Kathleen A. McKenna's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by September 24, 2012, counsel's request for an extension of time in which to file that document is granted to July 30, 2012. After that date, only one further extension totaling about 55 additional days is contemplated.

S200464**SELF (CHRISTOPHER) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Theodore M. Cropley's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by October 5, 2012, counsel's request for an extension of time in which to file that document is granted to July 31, 2012. After that date, only one further extension totaling about 66 additional days is contemplated.

S200475

B225932 Second Appellate District, Div. 8

**WESTERN STATES
PETROLEUM ASSOCIATION
v. STATE BOARD OF
EQUALIZATION**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to July 16, 2012.

S202444**FORRISTER, JR., (CLINTON)
v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Fifth Appellate District , for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S202356**COONS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ALLAN HAROLD COONS, State Bar Number 40736, as a member of the State Bar of California is accepted.

ALLAN HAROLD COONS must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202360**FREEMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM MARTIN FREEMAN, State Bar Number 90928, as a member of the State Bar of California is accepted.

WILLIAM MARTIN FREEMAN must also comply with rule 9.20 of the California Rules of

Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202361**GILBOY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHERILYN GILBOY, State Bar Number 65922, as a member of the State Bar of California is accepted.

CHERILYN GILBOY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202363**HOLLINGSWORTH ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PRISCILLA MARIE HOLLINGSWORTH, State Bar Number 113421, as a member of the State Bar of California is accepted.

PRISCILLA MARIE HOLLINGSWORTH must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202364**HOOVER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PETER JAMESON HOOVER, State Bar Number 113028, as a member of the State Bar of California is accepted.

PETER JAMESON HOOVER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202368**HORNE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAVID LEE HORNE, State Bar Number 150831, as a member of the State Bar of California is accepted.

DAVID LEE HORNE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202374**JOHNSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAWN EILEEN JOHNSON, State Bar Number 155869, as a member of the State Bar of California is accepted.

DAWN EILEEN JOHNSON must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202376**KANOUSE ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RANDELE BYRON KANOUSE, State Bar Number 88892, as a member of the State Bar of California is accepted.

RANDELE BYRON KANOUSE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202380**KING II ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of EDMUND T. KING II, State Bar Number 29870, as a member of the State Bar of California is accepted.

EDMUND T. KING II must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S202382**KORN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL AARON KORN, State Bar Number 75509, as a member of the State Bar of California is accepted.

PAUL AARON KORN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

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